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Planning and Development Department (P&D)  
Long Range Planning Division

# PROPOSED CANNABIS LAND USE ORDINANCE AMENDMENTS

Board of Supervisors  
Hearing on August 16, 2022

# Background



- September 14<sup>th</sup>, 2021 - Board-requested ordinance amendments
  - CUP (instead of an LUP) for commercial cannabis cultivation
  - Inland Area, Agricultural and Industrial Zones
  - Afford County decision-makers greater discretion when considering cannabis cultivation projects

# Recap of May 24<sup>th</sup> Board Hearing



- Return to the Board with amendments to the LUDC to:
  - Establish new permit requirements for commercial cannabis processing activities in the Inland Agricultural and Industrial Zones
  - Revise the CUP requirement for outdoor cultivation in the Inland Industrial Zones

# LUDC Amendments



## □ Required permit for cannabis cultivation processing activities:

- Drying, curing, and trimming – not manufacturing

- Inland Areas

Agricultural I & II (AG-I & AG-II)

Industrial Research Park (M-RP)

Light Industry (M-1)

General Industry (M-2)

# LUDC Amendments



- Required permit for cannabis cultivation processing activities:

<b>If Existing Cannabis Cultivation Allowed with:</b>	<b>Then Accessory Processing Allowed with:</b>
LUP	New LUP
CUP	Revised CUP
<b>If New Cannabis Cultivation Allowed with:</b>	<b>Then Accessory Processing Allowed with:</b>
CUP	CUP

# LUDC Amendments



- ❑ CUP required for commercial cannabis cultivation activities:
  - Agricultural Zone – outdoor, mixed-light, indoor, and nursery uses
    - Agriculture II (AG-II)
  - Industrial Zones – outdoor mixed-light and nursery uses
    - Industrial Research Park (M-RP)
    - Light Industry (M-1)
    - General Industry (M-2)

# Applicability



## □ CUP required for:

- Proposed, new operations: applications without final approval prior to the effective date of the ordinance
  - Convert existing LUP applications without final approval, to CUP applications
- Non-minor changes to existing operations approved with LUPs:
  - New adverse environmental effects
  - Additional mitigation measures
  - Substantially deviates from approved operations

# Applicability (Cont.)



- ❑ Existing commercial cannabis cultivation operations with an approved LUP:
  - Considered lawfully existing and allowed by the LUDC in their current locations
  - Minor beneficial changes allowed



# Odor Abatement Plan (OAP)



## □ OAP is required if cannabis cultivation:

- Is adjacent to an Existing Developed Rural Neighborhood (EDRN) or Urban Rural Boundary
- Cumulatively exceeds 51% of gross lot area on AG-II lots
- Is within the Santa Ynez Valley (Santa Ynez Valley Community Plan Policy LUG-SYV-8)

# Design Review



- Design review will continue to be required for projects located within:
  - Critical Viewshed Corridor (CVC)
  - Design Control (D) Overlay Zones

# Environmental Review



## □ Previously certified Program EIR analyzed cannabis uses in AG and Industrial Zones

- Ordinance amendments = similar or reduced scope
- Consistent with CEQA Guidelines Section 15162 & 15168
- No subsequent CEQA required



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## RECOMMENDED ACTIONS

Board of Supervisors  
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# Recommend Actions



## □ Board letter, pages 1-2:

- Make the required findings for approval, including CEQA findings (Attachment 1)
- Determine that no subsequent environmental document is required, the amendments are within the scope of the program, and the PEIR adequately describes the activity for the purposes of CEQA
- Adopt the ordinance (Attachment 4)



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THANK YOU

QUESTIONS ?

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